IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

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WRIT PETITION NO : 19155 of 2003

Between:

P. Krishna Reddy S/o P. Gopal Reddy,
Aged 41 Years, Occ: Head Master,

Z.P. High School, Muthirevula,
Puthalapattu Mandal, Chittoor District.

..... PETITIONER

AND

1 The Principal Secretary to Government, Govt. of Andhra Pradesh,
Panchayat Raj & Rural Development, Secretariat,
Hyderabad.
2 The Chief Executive Officer, Zilla Parishad, Chittoor,

Chittoor District
3 The District Educational Officer Chittoor District, Chittoor
4 The Zilla Parishad Educational Officer, Chittoor, Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS, declare the action of the 1st respondent in issuing the G.O.Rt.No.1077, dt.23-07-2003 to conduct another enquiry in to the allegations, which were found false by the 1st enquiry against the petitioner, and further action of the respondents in not following the procedure as contemplated in Rule 24 of A.P. Civil Services (CCA) Rules, 1991, as illegal and arbitrary and violative of constitutional provisions and consequently set aside the G.O.Rt.No.1077, dt.23-07-2003 issued by the 1st respondent.

Counsel for the Petitioner:MR.G. BHASKAR RAO, Not present.

Counsel for the Respondent Nos.1 to 4: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following :

ORDER:

None appears for the writ petitioner.

The learned Government Pleader for Panchayat Raj appearing for the respondents submits that the employees of Z.P. High School would come under the purview of 'Government Servants' and as the petitioner is working as Maths Assistant in Z.P. High School he also comes under the purview of Government Servant, and therefore, the appropriate forum to question the impugned order is Andhra Pradesh Administrative Tribunal as such the present writ petition is not maintainable.

In view of the said representation made by the learned Government Pleader for Panchayat Raj and as there is no representation on behalf of the petitioner, the writ petition is dismissed as not maintainable with a liberty to the petitioner to approach the Andhra Pradesh Administrative Tribunal, Hyderabad. No order as to costs.

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V. ESWARAIAH, J.

Date : JULY 27, 2004.

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To

1 The Principal Secretary to Government, Govt. of Andhra Pradesh,
Panchayat Raj & Rural Development, Secretariat,
Hyderabad.
2 The Chief Executive Officer, Zilla Parishad, Chittoor,

Chittoor District

3 The District Educational Officer Chittoor District, Chittoor
4 The Zilla Parishad Educational Officer, Chittoor, Chittoor District.

5 Two CCs to the Government Pleader for Panchayat Raj & Rural

Development, High Court Buildings, Hyderabad (OUT)

6 Two CD copies.